

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

AXIS SURPLUS INSURANCE COMPANY,

Plaintiff,  
v.  
HEARTLAND CARE, INC., et al.,  
Defendants.

CV No. 18-1073 CG/GBW

**ORDER GRANTING STIPULATION OF DISMISSAL AS TO  
DEFENDANT HEARTLAND CARE INC.**

**THIS MATTER** is before the Court on Plaintiff Axis Surplus Insurance Company's *Stipulation to dismiss Heartland Care Inc., [doing business as] Heartland Continuing Care Center, and Heartland Care Inc., [doing business as], Heartland Care of Artesia*, (Doc. 15), filed July 23, 2019. In the Stipulation, the parties agree that Defendant Heartland Care, Inc. shall be dismissed from this lawsuit with prejudice. (Doc. 15 at 2). The Stipulation does not affect the rights of Defendant Wendy Rogers, who shall remain a party to this lawsuit. *Id.* The Court, having reviewed the Stipulation, finds the Stipulation is well-taken and shall be **GRANTED**.

**IT IS THEREFORE ORDERED** that Plaintiff Axis Surplus Insurance Company's *Stipulation to dismiss Heartland Care Inc., [doing business as] Heartland Continuing Care Center, and Heartland Care Inc., [doing business as], Heartland Care of Artesia*, (Doc. 15), is hereby **GRANTED**.

**IT IS FURTHER ORDERED** that Defendant Heartland Care, Inc. shall be dismissed from this lawsuit with prejudice.



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THE HONORABLE CARMEN E. GARZA  
CHIEF UNITED STATES MAGISTRATE JUDGE